

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF PENNSYLVANIA

NOEL BROWN

Plaintiff

V.

CASE NO.3:18CV00155-MEM

WAYNE COUNTY PENNSYLVANIA, ET AL.,

Defendants

FILED
SCRANTON

MAR 24 2021

DECLARATION

PER AMU
DEPUTY CLERK

IN SUPPORT OF FED.R.CIV.P.60 & 28 U.S.C.§1655 FOR REINSTATEMENT

AND NOW THIS 18TH DAY OF MARCH 2021. I MR.NOEL BROWN, DECLARE UNDER PENALTY OF PERJURY THAT THE FOLLOWING FACTS ARE TRUE AND CORRECT:

ON JUNE 30TH 2016. THE WAYNE COUNTY DEFENDANTS MICHAEL JAZERCAK, SHARON PALMER, OF PSP HONESDALE BARRACKS, USED FALSE STATEMENTS MADE IN A WRITTEN INSTUMENT APPLICATION FOR SEARCH WARRANT AND AUTHORIZATION TO ENTER MY HOME LOCATED IN THE COUNTY OF MONROE. THERE THE WAYNE COUNTY DEFENDANTS SEAZED ITEM NOT LESTED IN THE WARRANT, AND TOOK/STOLE CASH IN THE AMOUNT OF \$77,000 DOLLARS, UNTOLD ITEMS OF EMENCE VALUE MOST OF WHICH ARE LISTED WITHIN PLAINTIFFS COMPLAINT. THE WAYNE COUNTY DEFENDANTS FAILED TO FILE RETURN OF SERVICE AND INVENTORY IN THE COURT OF MONROE COUNTY, INSTEAD TOOK THE ITEMS OF THEIR LOOT & PLUNDER BACK TO THEIR REGULARLY POLICED JURISDICTION IN WAYNE COUNTY. THE WAYNE COUNTY DEFENDANTS SHARON PALMER, AND MICHAEL JEZERCAK, WITHOUT A WARRANT THE ABOVE DEFENDANTS FORCED PLAINTIFF INTO THEIR VICHLE DROVE PLAINTIFF TO WAYNE COUNTY HONESDALE BARRACKS TO BE PROCESS BY USE OF ADVANCED COMMUNICATION TECHNOLOGY, THEN PLACED PLAINTIFF IN THE WAYNE COUNTY CORRECTIONAL FACILITY. WHERE SUPERVISORS GAVE DIRECTIONS THEY KNOW OR SHOULD KNOW

ORDERS WOULD CAUSE THE DEPRIVE OF PLAINTIFF RIGHTS. PLAINTIFF FILE SEPERATE CIVIL SUITS IN THE WAYNE COUNTY COURT OF COMMON PLEAS #544,545,546 CIVIL 2016. AGAINST THE ABOVE DEFENDANTS. DURING THE CRIMINAL TRIAL OF PLAINTIFF, DEFENDANT CAMILO JACER MANAGER OF DAYS INN TANNERSVILLE HOTEL LOCATED IN MONROE COUNTY ARRIVED IN WAYNE COUNTY BY WAY OF SWIFTWATER TRP. THOMAS OBRIEN ESCORTED WITNESS TO FALSELY TESTIFY TO PLAINTIFF BEING ONE OF HIS GUEST ON JUNE 30TH 2016. WHILE IMPRISONED IN THE COUNTY OF WAYNE I LEARNED OF THE GROSS VIOLATION BY THE BRODHEADSVILLE POST OFFICE LOCATED IN MONROE COUNTY. PLAINTIFF MAIL-BOX NUMBER WAS CHANGED WITHOUT MY WRITTEN CONSENT, ALLOWING FOR PERSONAL AND BUSINESS INFORMATION TO BE STOLEN. COLLECTIVELY THE WAYNE COUNTY DEFENDANTS, MONROE COUNTY DEFENDANTS, DOC DEFENDANTS, AS WELL AS THE BRODHEADSVILLE POST OFFICE OF MONROE COUNTY, AND DAYS INN HOTEL, ARE PERSONS WHO DEPRIVES ANOTHER OF HIS FEDERALLY PROTECTED RIGHTS UNDER 42 U.S.C.1983. THEREFOR I BRING SUIT.

MAGISTRATE JUDGE WILLIAM I. ARBUCKLE, HAS BEEN DEFENDING THE DEFENDANTS AND THEIR BAD ACTS, USING HIS VAST YEARS OF EXPERIENCE MISMANAGEMENT OF LEGITIMATE CLAIMS, AND A DISTRICT JUDGE THAT NEVER CHALLENGE OR QUESTION HIS MOTIVE FOR SUCH REPORT AND RECOMMENDATIONS. PLAINTIFF HAS AMENDED HIS CLAIMS REMOVING FAMILY MEMBERS DEVOID OF PLAINTIFF SUPPORT AND THEREFORE CANNOT AFFORD THE COST OF COUNSEL FOR THE VIOLATION OF THEIR FEDERALLY PROTECTED RIGHTS, AND EXCLUDED PLAINTIFF CORPORATION AS IT MUST BE REPRESENTED BY LICENSED COUNSEL. YET DESPITE PLAINTIFF AMENDMENTS TO NONE FRIVOLOUS CLAIMS AND VOLUNTARY DISCLOSURE BY DISCOVERY WITHOUT BEING ASK. THE MAGISTRATE JUDGE REPORTS RECOMMEND "THAT THE COURT DECLINE TO GRANT FURTHER LEAVE TO AMEND SINCE TO DO SO WOULD BE INEQUITABLE AND FUTILE INsofar AS PLAINTIFF HAS ALREADY BEEN PERMITTED TO

FILE A AMENDED COMPLAIN BUT USED THAT OPPORTUNITY TO FILE VIRTUALLY THE SAME COMPLAINT". IT SEEMS THAT THE MAGISTRATE JUDGE ARBUKLE, WITHOUT ANY RECIPROCAL DISCOVERY FROM THE COLLECTIVE DEFENDANTS WANTS PLAINTIFF TO FILE A DEPARTURE FROM THE FACTS WITHIN PLAINTIFF COMPLAINT.

FURTHERMORE, THE MAGISTRATE JUDGE ARBUCKLE, ERROR STATING "PLAINTIFF DID NOT FILE A REPLY BRIEF TO DEFENDANTS BRIEF IN OPPOSITION (DOC93) AND THE TIME TO DO SO HAS EXPIRED. HOWEVER, THE DEFENDANTS IN DISREGARDS TO THE COURT RULES FILED (DOC#93) WITHOUT PERMISSION FROM THE COURT. SEE FED.R.CIV.P.7(b). PLAINTIFF OBSERVERS THE COURT RULES AS STATED "THE MOVING PARTY MAY FILE REPLY PAPERS RESPONDING TO THE ARGUMENTS MADE IN THE OPPOSITION PAPERS. AT THAT POINT, NEITHER SIDE MAY FILE ANY MORE DOCUMENTS RELATED TO THE MOTION WITHOUT PERMISSION FROM THE COURT." IN ADDITION TO THE FORGOING THE COURT HAS INTENTIONALLY WITHHOLD NOTICES AND ORDERS SUCH AS THE FEBRUARY 15TH 2021, ORDER BEING MAILED THIRTY DAYS PAST THE DATE OF THE ORDER ON MARCH 15TH 2021. TO TIME-BAR PLAINTIFF AND PREVENT ANY TIMELY ACTION FROM BEING TAKEN IN THE ABOVE TITLED CASE, SUCH VIOLATION CAN ONLY BE CONSTRUED AS FUNDAMENTAL MISCARRIAGE OF JUSTICE, AND THE JUDGES SHOULD BE IMPEACHED AND REMOVE FROM THEIR CURRENT POSITION WITHIN OUR JUSTICE SYSTEM.

PLAINTIFF RESPECTFULLY DEMANDS THAT THE ABOVE TITLED CASE BE REINSTATED, AND THE FEBRUARY 15TH 2021 ORDER BE WITHDRAWN.

THE ABOVE PETITION FOR REINSTATEMENT OF COMPLAINT, ARE BEING MADE PURSUANT TO THE FIRST AMENDMENT TO THE UNITED STATES CONSTITUTION AS IT PROVIDES:"THE RIGHT OF PEOPLE TO PETITION THE GOVERNMENT FOR A REDRESS OF GRIEVANCES."

RESPECTFULLY SUBMITTED,

A handwritten signature in black ink, appearing to be "J. B. A.", is written over a horizontal line.

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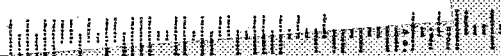
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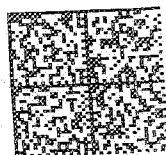
Name NOEL BROWN

Number MW0387

PO Box 33028

St Petersburg FL 33733

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TO: UNITED STATES DISTRICT COURT

MIDDLE DISTRICT OF PENNSYLVANIA

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